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SIPDIS

USUN FOR MALY; BRUSSELS FOR MEZNAR

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TAGS: [PREF](#) [NP](#) [PHUM](#) [BT](#) [PREL](#) [UNHCR](#)

SUBJECT: BHUTANESE REFUGEES PRESENT THEIR HISTORY AND
CURRENT COMPLAINTS; UNHCR PLACES RESETTLEMENT ON THE TABLE

Classified By: RMA Piper Campbell reasons 1.4 (b) and (d)

1. (SBU) Summary. At a private meeting on the margins of the UN Commission on Human Rights, the Bhutanese refugee delegation presented a video explaining the facts of their flight and situation in Nepal, and drawing governmental attention to their desire for durable solutions. Missionoff persuaded NGO participants not to promote abandonment of bilateral discussions, but to press the Government of Nepal to approve commencement of refugee re-registration, essential to any durable solution. Discussion drew attention to reductions in UN High Commissioner for Refugees (UNHCR) assistance to the refugees. At the UNHCR Working Group on Resettlement (WGR) the day before, UNHCR presented the argument for commencing a resettlement program now. End Summary.

2. (U) Bhutanese refugees attending the current session of the UN Commission on Human Rights invited Mission to a private meeting held April 6, attended by reps from the Netherlands, Finland, Sweden, and Ireland as well as UNHCR (Asia Bureau Sr. Protection Officer Peter Janssen), the Nepalese Human Rights Commission, Amnesty International, Lutheran World Federation, and the Habitat International Housing and Land Rights Network. The refugees' representatives, Mr. Ratan Gazmere (also on the delegation to UNHCR Executive Committee meeting in October 2004), Mr. Til Bahadur Gurung, and Ms. Sushma Chhetri have produced a video on the history of the Bhutanese refugees. It made multiple references to USG human rights reports and activities in support of their rights. The video concluded that progress toward finding durable solutions for refugees ground to a halt in 2004.

UNHCR Assistance Described as Forcing Local Integration

3. (U) Gazmere described the issues from the refugee point of view. It is time, he said, to explore alternatives other than the repatriation they have always desired - which we took as an implicit, and growing, interest in third-country resettlement. Refugees feel that they are being "forcibly locally integrated" by virtue of former HC Lubbers' determination that UNHCR assistance to Bhutanese refugees would be phased out. They see cuts to assistance in Nepal this year as directly connected to that policy.

4. (C) Missionoff Lynch told the refugees that UNHCR has stated that it no longer has a phase-out policy and that the USG is strongly supportive of UNHCR providing assistance to refugees at international standards. Internal communications received April 7, however, from UNHCR gives some credence to the refugees' claims that UNHCR is trying to work itself away from current assistance levels.

Durable Solutions: the Crux of the Matter

5. (U) The refugees and LWF suggested that, given former HC Lubbers' 2003 statement that UNHCR would stop pursuing repatriation, and the King of Bhutan's statement in New Delhi in January that "none of the refugees are really Bhutanese" (sic), the time may have come to abandon hope for repatriation and focus solely on "other" durable solutions (given the aversion to local integration noted above, this would leave third country resettlement as the sole option). Missionoff noted that the USG had not abandoned hope of progress on repatriation, and still felt strongly that it was an option that refugees deserved to be offered. She noted, however, that there is a parallel acknowledgment that refugees also deserve not to be left in limbo for decades. Lynch encouraged LWF and the refugees to press the Government of Nepal, as the USG is doing, to allow the refugee re-registration to begin, stressing that it is the basis for all of the durable solutions. Missionoff said there is no need to cut off the possibility of repatriation in order to move forward on the prerequisites for resettlement.

6. (C) In the general discussion of USG efforts in 2004, UNHCR (Janssen) pointed out that the very fruitful dialog between the EU (sic - the dialog was with the European Commission, and did not include member states) and the U.S. had been abandoned by the EU "for unknown reasons". EU Member States present took note of the comment. Janssen

added that Bhutan opposes resettlement because it fears having its human rights record exposed by a refugee diaspora, and suggested that fact should be used as leverage -- he suggested that movement on refugee resettlement could prompt Bhutan to move on repatriation.

WGR Discussion on Resettlement of Bhutanese Refugees

17. (SBU) Janssen had aired variations on these themes the previous day to members of the WGR. Nepal seemed to have fallen off member countries' radars even though the new government was showing a new openness to solutions. He said the new government seemed more conscious that the status quo was unstable and unsustainable. Indications of a new openness hadn't translated yet into anything concrete, but the Nepalese seem to have begun to understand that re-registration and Project Profile are linked not just to local integration but also third-country resettlement. At the same time, Janssen said both the international and bilateral processes had stalled. He therefore pressed members to provide more concrete numbers of how many persons from Nepal they can resettle, as more concrete numbers might help the GON understand that repatriation can be a solution for a significant number of refugees.

18. (SBU) The Chair turned to members, asking whether resettlement countries could indicate a willingness to participate in the proposed resettlement program. The representative from Canada broke the silence, saying that he could not commit to a resettlement program on the spot or change his government's official position -- which calls for a comprehensive solution of return, resettlement and local integration. Nevertheless, he said he was not unwilling to reconsider the plan of action if necessary. Refugee Counselor reviewed U.S. efforts, including high-level visits to the region. She agreed the status quo was untenable. The U.S. was not ready to commit to resettling a certain number but was very ready to participate in further discussion. We had made clear to Nepal our readiness to be involved and the importance of registration as a first step. No representative offered or promised a concrete number. There was no open disagreement to the Chair's suggestion that members hold a special session to discuss this issue further. Janssen urged further consideration of solving the cases which could be solved and not insisting first and only on the comprehensive approach.

COMMENT

19. (C) Current Mission staff have followed the pursuit of durable solutions for Bhutanese refugees for close to three years, and share UNHCR's and the refugees' frustration that things are again stalled. The Maoist insurgency is an increasing threat to a successful pursuit of durable solutions as it may threaten access to refugees for resettlement interviews. In addition, refugees without hopes for alternative solutions seem more likely to be vulnerable to the Maoists' persuasion, which in the end could render them ineligible for U.S. resettlement. The keys to forward movement are first and foremost the government of Nepal approving refugee re-registration, and second, but importantly for the principle of non-impunity, the Bhutanese accepting the return at least of the small number of refugees that it recognizes as Bhutanese citizens. End Comment.

Moley